

UTILITY PATENT APPLICATION TRANSMITTAL

(CLAIMING BENEFIT TO PROVISIONAL APPLICATION)

(New Nonprovisional Application Under 37 CFR § 1.53(b))

Attorney Docket No.

15437-0599

TO THE COMMISSIONER FOR PATENTS:

Transmitted herewith is the patent application of () application identifier or (X) first named inventor, Ozgur C. Leonard, et al., entitled MECHANISM FOR SELECTIVELY PROVIDING MOUNT INFORMATION TO PROCESSES RUNNING WITHIN OPERATING SYSTEM PARTITIONS, for a(n):

- (X) Original Patent Application that claims the benefit of prior U.S. Provisional Application 60/469,558, filed May 9, 2003.
(X) A statement claiming priority under 35 USC § 119(e) has been added to the specification.

() Continuing Application (prior application not abandoned):

- () Continuation () Divisional () Continuation-in-part (CIP)
of prior application No: _____ Filed on: _____
() A statement claiming priority under 35 USC § 120 has been added to the specification.

Enclosed are:

- (X) Specification 40 Total Pages; (X) Drawing(s) 6 Total Sheets; (X) Cover Sheet 1 Page
(X) Oath or Declaration: 4 Pages
(X) A Newly Executed Combined Declaration and Power of Attorney:
(X) Signed. () Unsigned. () Partially Signed.
() A Copy from a Prior Application for Continuation/Divisional (37 CFR § 1.63(d)).
() Incorporation by Reference. The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied, is considered as being part of the disclosure of the accompanying application and is hereby incorporated herein by reference in its entirety for all purposes.
() Signed Statement Deleting Inventor(s) Named in the Prior Application. (37 CFR § 163(d)(2)).
() Power of Attorney. (X) Return Receipt Postcard.
() Associate Power of Attorney. (X) A Check in the amount of \$1,098.00 for the Filing Fee.
() Preliminary Amendment. () Information Disclosure Statement and Form PTO-1449.
(X) Request and Certification Under 35 U.S.C. 122(b)(2)(B)(i)
() A Duplicate Copy of this Form for Processing Fee Against Deposit Account.
() A Certified Copy of Priority Documents (if foreign priority is claimed).
() Applicant(s) is entitled to small entity status. See 37 CFR 1.27.
() Statement(s) of Status as a Small Entity Filed in Prior Application, Status Still Proper and Desired.
(X) Recordation of Assignment Cover Sheet and executed Assignment.
() Other: _____

CLAIMS AS FILED				
FOR	NO. FILED	NO. EXTRA	RATE	FEE
Total Claims	36	16	\$18.00	\$ 288.00
Independent Claims	3	0	\$86.00	\$ 0.00
Multiple Dependent Claims (if applicable)				\$0.00
Assignment Recording Fee				\$40.00
Basic Filing Fee				\$770.00
Total Filing Fee				\$ 1,098.00

Charge \$ _____ to Deposit Account 50-1302 pursuant to 37 CFR § 1.25. Throughout the pendency of this application, please charge any additional fees, including any required extension of time fees, and credit all overpayments to deposit account 50-1302. A duplicate of this sheet is enclosed.

Respectfully submitted,

By: _____

Bobby K. Truong, Reg. No. 37,499

Date: January 28, 2004

Correspondence Address:

CUSTOMER CODE

29989

I hereby certify that this is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated below and is addressed to:

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

By: _____

Typed Name: Tirenca Say

Express Mail Label No.: EV323351312US

Date of Deposit: January 28, 2004

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2004		Complete if Known	
<i>Patent fees are subject to annual revision, Small Entity payments must be supported by a small entity statement, otherwise large entity fees must be paid. See Forms PTO/SB/09-12 See 37 C.F.R. §§ 1.27 AND 1.28</i>		Application Number	NYA
		Filing Date	January 28, 2004
		First Named Inventor	Ozgur C. Leonard, et al.
		Examiner Name	NYA
		Group/Art Unit	NYA
TOTAL AMOUNT OF PAYMENT		Attorney Docket No.	15437-0599
(\$) 1,098.00			

METHOD OF PAYMENT (check one)	FEE CALCULATION (continued)																																																																																																																																																																												
<p>1. <input checked="" type="checkbox"/> Throughout the pendency of this application, please charge any additional fees, including any required extension of time fees, and credit all overpayments to deposit account 50-1302. A duplicate of this sheet is enclosed.</p> <p>Deposit Account Number: 50-1302</p> <p>Deposit Account Name: Hickman Palermo Truong & Becker, LLP</p> <p>2. <input checked="" type="checkbox"/> Payment Enclosed: <input checked="" type="checkbox"/> Check <input type="checkbox"/> Money Order <input type="checkbox"/> Other</p> <p>3. <input type="checkbox"/> Applicant(s) is entitled to small entity status. See 37 CFR 1.27.</p>	<p>3. ADDITIONAL FEES</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Large Entity Fee Code</th> <th style="text-align: left;">Small Entity Fee Code</th> <th style="text-align: left;">Fee Description</th> <th style="text-align: left;">Fee Paid</th> </tr> </thead> <tbody> <tr><td>1051</td><td>130</td><td>2051</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>1052</td><td>50</td><td>2052</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>1053</td><td>130</td><td>1053</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>1812</td><td>2,520</td><td>1812</td><td>2,520</td><td>For filing a request for reexamination</td><td></td></tr> <tr><td>1804</td><td>920*</td><td>1804</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>1805</td><td>1,840*</td><td>1805</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>1251</td><td>110</td><td>2251</td><td>55</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>1252</td><td>420</td><td>2252</td><td>210</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>1253</td><td>950</td><td>2253</td><td>475</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>1254</td><td>1,480</td><td>2254</td><td>740</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>1255</td><td>2010</td><td>2255</td><td>1005</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>1401</td><td>330</td><td>2401</td><td>165</td><td>Notice of Appeal</td><td></td></tr> <tr><td>1402</td><td>330</td><td>2402</td><td>165</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>1403</td><td>290</td><td>2403</td><td>145</td><td>Request for oral hearing</td><td></td></tr> <tr><td>1451</td><td>1,510</td><td>1451</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>1452</td><td>110</td><td>2452</td><td>55</td><td>Petition to revive - unavoidable</td><td></td></tr> <tr><td>1453</td><td>1330</td><td>2453</td><td>665</td><td>Petition to revive - unintentional</td><td></td></tr> <tr><td>1501</td><td>1330</td><td>2501</td><td>665</td><td>Utility issue fee (or reissue)</td><td></td></tr> <tr><td>1502</td><td>480</td><td>2502</td><td>240</td><td>Design issue fee</td><td></td></tr> <tr><td>1503</td><td>640</td><td>2503</td><td>320</td><td>Plant issue fee</td><td></td></tr> <tr><td>1460</td><td>130</td><td>1460</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>1807</td><td>50</td><td>1807</td><td>50</td><td>Petitions related to provisional applications</td><td></td></tr> <tr><td>1806</td><td>180</td><td>1806</td><td>180</td><td>Submission of information Disclosure Stmt</td><td></td></tr> <tr><td>8021</td><td>40</td><td>8021</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td>40.00</td></tr> <tr><td>1809</td><td>770</td><td>2809</td><td>385</td><td>Filing a submission after final rejection (37 CFR § 1.129(a))</td><td></td></tr> <tr><td>1810</td><td>770</td><td>2810</td><td>385</td><td>For each additional invention to be examined (37 CFR § 1.129(b))</td><td></td></tr> <tr><td colspan="5">Other fee (specify) _____</td><td></td></tr> <tr><td colspan="5">Other fee (specify) _____</td><td></td></tr> </tbody> </table>	Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee Paid	1051	130	2051	65	Surcharge - late filing fee or oath		1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet		1053	130	1053	130	Non-English specification		1812	2,520	1812	2,520	For filing a request for reexamination		1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action		1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action		1251	110	2251	55	Extension for reply within first month		1252	420	2252	210	Extension for reply within second month		1253	950	2253	475	Extension for reply within third month		1254	1,480	2254	740	Extension for reply within fourth month		1255	2010	2255	1005	Extension for reply within fifth month		1401	330	2401	165	Notice of Appeal		1402	330	2402	165	Filing a brief in support of an appeal		1403	290	2403	145	Request for oral hearing		1451	1,510	1451	1,510	Petition to institute a public use proceeding		1452	110	2452	55	Petition to revive - unavoidable		1453	1330	2453	665	Petition to revive - unintentional		1501	1330	2501	665	Utility issue fee (or reissue)		1502	480	2502	240	Design issue fee		1503	640	2503	320	Plant issue fee		1460	130	1460	130	Petitions to the Commissioner		1807	50	1807	50	Petitions related to provisional applications		1806	180	1806	180	Submission of information Disclosure Stmt		8021	40	8021	40	Recording each patent assignment per property (times number of properties)	40.00	1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))		1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))		Other fee (specify) _____						Other fee (specify) _____					
Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee Paid																																																																																																																																																																										
1051	130	2051	65	Surcharge - late filing fee or oath																																																																																																																																																																									
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet																																																																																																																																																																									
1053	130	1053	130	Non-English specification																																																																																																																																																																									
1812	2,520	1812	2,520	For filing a request for reexamination																																																																																																																																																																									
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action																																																																																																																																																																									
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action																																																																																																																																																																									
1251	110	2251	55	Extension for reply within first month																																																																																																																																																																									
1252	420	2252	210	Extension for reply within second month																																																																																																																																																																									
1253	950	2253	475	Extension for reply within third month																																																																																																																																																																									
1254	1,480	2254	740	Extension for reply within fourth month																																																																																																																																																																									
1255	2010	2255	1005	Extension for reply within fifth month																																																																																																																																																																									
1401	330	2401	165	Notice of Appeal																																																																																																																																																																									
1402	330	2402	165	Filing a brief in support of an appeal																																																																																																																																																																									
1403	290	2403	145	Request for oral hearing																																																																																																																																																																									
1451	1,510	1451	1,510	Petition to institute a public use proceeding																																																																																																																																																																									
1452	110	2452	55	Petition to revive - unavoidable																																																																																																																																																																									
1453	1330	2453	665	Petition to revive - unintentional																																																																																																																																																																									
1501	1330	2501	665	Utility issue fee (or reissue)																																																																																																																																																																									
1502	480	2502	240	Design issue fee																																																																																																																																																																									
1503	640	2503	320	Plant issue fee																																																																																																																																																																									
1460	130	1460	130	Petitions to the Commissioner																																																																																																																																																																									
1807	50	1807	50	Petitions related to provisional applications																																																																																																																																																																									
1806	180	1806	180	Submission of information Disclosure Stmt																																																																																																																																																																									
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	40.00																																																																																																																																																																								
1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))																																																																																																																																																																									
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))																																																																																																																																																																									
Other fee (specify) _____																																																																																																																																																																													
Other fee (specify) _____																																																																																																																																																																													
<p>1. BASIC FILING FEE</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Large Entity Fee Code</th> <th style="text-align: left;">Small Entity Fee Code</th> <th style="text-align: left;">Fee Description</th> <th style="text-align: left;">Fee Paid</th> </tr> </thead> <tbody> <tr><td>1001</td><td>770</td><td>2001</td><td>385</td><td>Utility filing fee</td><td>770.00</td></tr> <tr><td>1002</td><td>340</td><td>2002</td><td>170</td><td>Design filing fee</td><td></td></tr> <tr><td>1003</td><td>530</td><td>2003</td><td>265</td><td>Plant filing fee</td><td></td></tr> <tr><td>1004</td><td>770</td><td>2004</td><td>385</td><td>Reissue filing fee</td><td></td></tr> <tr><td>1005</td><td>160</td><td>2005</td><td>80</td><td>Provisional filing fee</td><td></td></tr> <tr><td colspan="5">SUBTOTAL (1)</td><td>(\$) 770.00</td></tr> </tbody> </table> <p>2. EXTRA CLAIM FEES</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Total Claims</th> <th style="text-align: left;">Highest Paid Claims</th> <th style="text-align: left;">Extra Claims</th> <th style="text-align: left;">Fee from Below</th> <th style="text-align: left;">Fee Paid</th> </tr> </thead> <tbody> <tr> <td>36</td> <td>-20=</td> <td>16</td> <td>18.00</td> <td>288.00</td> </tr> <tr> <td>3</td> <td>-3**=</td> <td>0</td> <td>86.00</td> <td>0.00</td> </tr> <tr> <td colspan="4">Multiple Dependent</td> <td></td> </tr> </tbody> </table> <p><i>**or number previously paid, if greater; For Reissues, see below</i></p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Large Entity Fee Code</th> <th style="text-align: left;">Small Entity Fee Code</th> <th style="text-align: left;">Fee Description</th> <th style="text-align: left;">Fee Paid</th> </tr> </thead> <tbody> <tr><td>1202</td><td>18</td><td>2202</td><td>9</td><td>Claims in excess of 20</td><td></td></tr> <tr><td>1201</td><td>86</td><td>2201</td><td>43</td><td>Independent claims in excess of 3</td><td></td></tr> <tr><td>1203</td><td>290</td><td>2203</td><td>145</td><td>Multiple dependent claim, if not paid</td><td></td></tr> <tr><td>1204</td><td>86</td><td>2204</td><td>43</td><td>**Reissue independent claims over original patent</td><td></td></tr> <tr><td>1205</td><td>18</td><td>2205</td><td>9</td><td>**Reissue claims in excess of 20 and over original patent</td><td></td></tr> <tr><td colspan="5">SUBTOTAL (2)</td><td>(\$) 288.00</td></tr> </tbody> </table>	Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee Paid	1001	770	2001	385	Utility filing fee	770.00	1002	340	2002	170	Design filing fee		1003	530	2003	265	Plant filing fee		1004	770	2004	385	Reissue filing fee		1005	160	2005	80	Provisional filing fee		SUBTOTAL (1)					(\$) 770.00	Total Claims	Highest Paid Claims	Extra Claims	Fee from Below	Fee Paid	36	-20=	16	18.00	288.00	3	-3**=	0	86.00	0.00	Multiple Dependent					Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee Paid	1202	18	2202	9	Claims in excess of 20		1201	86	2201	43	Independent claims in excess of 3		1203	290	2203	145	Multiple dependent claim, if not paid		1204	86	2204	43	**Reissue independent claims over original patent		1205	18	2205	9	**Reissue claims in excess of 20 and over original patent		SUBTOTAL (2)					(\$) 288.00	<p>Reduced by Basic Filing Fee Paid</p> <p>SUBTOTAL (3) (\$) 40.00</p>																																																																								
Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee Paid																																																																																																																																																																										
1001	770	2001	385	Utility filing fee	770.00																																																																																																																																																																								
1002	340	2002	170	Design filing fee																																																																																																																																																																									
1003	530	2003	265	Plant filing fee																																																																																																																																																																									
1004	770	2004	385	Reissue filing fee																																																																																																																																																																									
1005	160	2005	80	Provisional filing fee																																																																																																																																																																									
SUBTOTAL (1)					(\$) 770.00																																																																																																																																																																								
Total Claims	Highest Paid Claims	Extra Claims	Fee from Below	Fee Paid																																																																																																																																																																									
36	-20=	16	18.00	288.00																																																																																																																																																																									
3	-3**=	0	86.00	0.00																																																																																																																																																																									
Multiple Dependent																																																																																																																																																																													
Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee Paid																																																																																																																																																																										
1202	18	2202	9	Claims in excess of 20																																																																																																																																																																									
1201	86	2201	43	Independent claims in excess of 3																																																																																																																																																																									
1203	290	2203	145	Multiple dependent claim, if not paid																																																																																																																																																																									
1204	86	2204	43	**Reissue independent claims over original patent																																																																																																																																																																									
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent																																																																																																																																																																									
SUBTOTAL (2)					(\$) 288.00																																																																																																																																																																								

SUBMITTED BY			
Name (Print/Type)	Bobby K. Truong	Registration No. (Attorney/Agent)	37,499
Signature		Telephone	(408) 414-1080
		Date	January 28, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

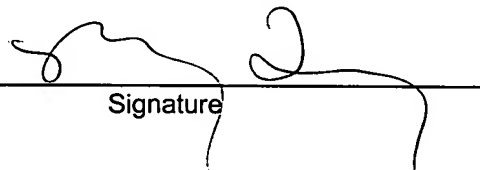
Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

SUN040015NP

REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i)	First Named Inventor		Ozgur C. Leonard, et al.
	Title	Mechanism for Selectively Providing Mount Information to Processes Running Within Operating System Partitions	
	Atty. Docket Number		15437-0599

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

January 28, 2004
Date


Signature

Bobby K. Truong (Reg. No. 37,499)
Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450**